

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

BIO-RAD LABORATORIES, INC.,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE

Co-Plaintiffs,

v.

10X GENOMICS, INC.,

Defendant.

Civil Action No. 1:19-cv-12533-WGY

10X GENOMICS, INC.,

Counterclaim Plaintiff,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE

Counterclaim Co-Plaintiff as to
certain claims,

v.

BIO-RAD LABORATORIES., INC.,

Counterclaim Defendant.

JOINT MOTION TO AMEND PROTECTIVE ORDER

Plaintiff and Counterclaim Defendant Bio-Rad Laboratories, Inc., Plaintiff and Counterclaim Co-Plaintiff as to certain claims President and Fellows of Harvard College, and Defendant and Counterclaim Plaintiff 10X Genomics, Inc. (collectively, “the Parties”) jointly

move to amend the protective order in this case. Pursuant to the Parties' agreement in the Joint Discovery Statement, the Protective Order has been harmonized with the Protective Order in *Bio-Rad Labs., et al. v. Stilla Technologies, Inc. et al.*, Civil Action No. 19-cv-11587-WGY (D. Mass.) (the "Stilla Case"). The above-captioned litigation and the Stilla Case share one patent-in-suit and the cases have the same discovery schedule. Good cause exists to modify the Protective Order in this case to allow cross use of documents between the two actions, which will reduce the discovery burden on the Parties.

Therefore, the Parties respectfully request the Court enter the parties' proposed Amended Protective Order which is attached as Exhibit 1.

Dated: August 24, 2020

Respectfully submitted,

/s/ Derek C. Walter

Edward R. Reines

Derek C. Walter

Prachi Mehta

WEIL, GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

Tel: (650) 802-3000

Fax: (650) 802-3022

bio-rad.10x.ma@weil.com

Patrick J. O'Toole, Jr.

WEIL, GOTSHAL & MANGES LLP

100 Federal Street

Boston, MA 02110

Tel: (617) 772-8365

Fax: (617) 772-8333

bio-rad.10x.ma@weil.com

Eric S. Hochstadt

WEIL, GOTSHAL & MANGES LLP

767 Fifth Avenue, Room 2421

New York, NY 10153

Tel: (212) 310-8538

Fax: (212) 310-8007

bio-rad.10x.ma@weil.com

Garland Stephens

Justin Constant

WEIL, GOTSHAL & MANGES LLP

700 Louisiana Street, Suite 1700

Houston, TX 77002

Tel: (713) 546-5011

bio-rad.10x.ma@weil.com

Audra Sawyer

WEIL, GOTSHAL & MANGES LLP

2001 M Street NW, Suite 600

Washington DC 20036

Tel: (202) 682-7274

Fax: (202) 857-0940

bio-rad.10x.ma@weil.com

David S. Godkin (BBO # 196530)

godkin@birnbaumgodkin.com
James E. Kruzer (BBO #670827)
kruzer@birnbaumgodkin.com
BIRNBAUM & GODKIN, LLP
470 Atlantic Avenue, 4th Floor
Boston, MA 02210
Tel: (617) 307-6100
Fax: (617) 307-6101

*Attorneys for Plaintiffs
Bio-Rad Laboratories, Inc.*

/s/ Ruben J. Rodrigues

Geoffrey M. Raux (BBO# 674788)
graux@foley.com
Michael J. Tuteur (BBO#543780)
mtuteur@foley.com
Ruben J. Rodrigues (BBO# 676573)
rrodrigues@foley.com
FOLEY & LARDNER LLP
111 Huntington Avenue Suite 2500
Boston, MA 02199
Tel: (617) 342-4000
Fax: (617) 342-4001

*Attorneys for Plaintiffs
President and Fellows of Harvard College*

/s/ Stefani C. Smith

Matthew D. Powers (*pro hac vice*)
Paul T. Ehrlich (*pro hac vice*)
Stefani C. Smith (*pro hac vice*)
Robert L. Gerrity (*pro hac vice*)
Jennifer K. Robinson (*pro hac vice*)
Natasha M. Saputo (*pro hac vice*)
Gina Cremona (*pro hac vice*)
Utsav Gupta (*pro hac vice*)
Daniel Radke (*pro hac vice*)
TENSEGRITY LAW GROUP, LLP
555 Twin Dolphin Drive, Suite 650
Redwood Shores, CA 94065
Tel: (650) 802-6000
Fax: (650) 802-6001
10x_BR_MA_Service@tensegritylawgroup.com

Azra M. Hadzimehmedovic (*pro hac vice*)
Aaron M. Nathan (*pro hac vice*)
Samantha A. Jameson (*pro hac vice*)
Kiley White (*pro hac vice*)
TENSEGRITY LAW GROUP, LLP
8260 Greensboro Drive, Suite 260
McLean, VA 22102
Telephone: (703) 940-5033
Facsimile: (650) 802-6001
10x_BR_MA_Service@tensegritylawgroup.com

Sarah Chapin Columbia (BBO #550155)
Katrina Rogachevsky (BBO #691373)
MCDERMOTT WILL & EMERY LLP
200 Clarendon Street, Floor 58
Boston, Massachusetts 02116-5021
Telephone: (617) 535-4000
Facsimile: (617) 535-3800
10X-BR-MWE@mwe.com

Leah Brannon (*pro hac vice*)
Kenneth Reinker (*pro hac vice*)
CLEARY GOTTLIEB
2112 Pennsylvania Avenue, NW
Washington, DC 20037
Telephone: (202) 974-1500
Facsimile: (202) 974-1999
Team-10x-Genomics-Litigation-
CGSHOnly@cgsh.com

Attorneys for 10X Genomics, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that on August 24, 2020, the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will issue an electronic notification of filing to all counsel of record.

/s/ Derek Walter

Derek Walter